



February 6, 2025

VIA ECF

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Honorable J. Brendan Day, U.S.M.J.
United States District Court for the District of New Jersey
Clarkson S. Fisher Building and U.S. Courthouse
402 East State Street
Trenton, NJ 08608

**Re: Luciano v. TIAA-CREF, Educational Testing Service, Educational Testing Service
Employee Benefits Administration Committee, Civ. No. 15-6726 (RK) (JBD)**

Dear Judge Day:

I represent Defendants Educational Testing Service ("ETS") and ETS Employee Benefits Administration Committee (collectively "ETS Defendants") in the above-captioned action. The ETS Defendants respectfully request an extension of the deadline for summary judgment reply briefs to March 19, 2025. Under the current Scheduling Order, the summary judgment reply brief deadline is February 14, 2025. The ETS Defendants submit this request for an extended deadline of March 19, 2025 based on undersigned counsel's unavailability due to unexpected and very serious medical issues involving his mother, who has been hospitalized since January 27, 2025. The ETS Defendants, therefore, submit this request for an extension of the Summary Judgment reply brief deadline to March 19, 2025 that will apply to all Defendants. This extension, if granted, would also extend the deadline to March 19, 2025 for Defendants Teachers Insurance and Annuity Association of America-College Retirement Equities Fund, Teachers Insurance and Annuity Association of America, and College Retirement Equities Fund (collectively "TIAA Defendants") to serve reply papers. This extension, if granted, would not impact other scheduled dates or deadlines. Plaintiff and the TIAA Defendants consent to this extension.

It is, therefore, requested that the Court sign this letter as an Order extending the summary judgment reply brief deadline for all Defendants to March 19, 2025. All other aspects of the initial Order setting the Summary Judgment briefing schedule, including the "bundling" protocol, remain in effect.

Respectfully submitted,

/s/ Raymond A. Kresge
Raymond A. Kresge

It is so ORDERED this **10th** day of February, 2025.

cc: All Counsel of Record (via ECF)

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J. BRENDAN DAY
UNITED STATES MAGISTRATE JUDGE